



Substitute House Bill No. 5664

Public Act No. 06-133

***AN ACT CONCERNING THE DEPARTMENT OF
TRANSPORTATION.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 14-262 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The following vehicles shall not be operated upon any highway or bridge without a special written permit from the Commissioner of Transportation, as provided in section 14-270, as amended, specifying the conditions under which they may be so operated:

(1) A vehicle, combination of vehicle and trailer or commercial vehicle combination, including each such vehicle's load, which is wider than one hundred two inches or its approximate metric equivalent of two and six-tenths meters or one hundred two and thirty-six-hundredths inches, including its load, but not including the following safety devices: Reasonably sized rear view mirrors, turn signals, steps and handholds for entry and egress, spray and splash suppressant devices, load-induced tire bulge and any other state-approved safety device which the Commissioner of Transportation determines is necessary for the safe and efficient operation of such a vehicle or combination, provided no such state-approved safety device

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protrudes more than three inches from each side of the vehicle or provided no such device has by its design or use the capability to carry cargo. Such permit shall not be required in the case of (A) farm equipment, (B) a vehicle or combination of vehicle and trailer loaded with hay or straw, (C) a school bus equipped with a folding stop sign or exterior mirror, as approved by the Commissioner of Motor Vehicles, which results in a combined width of bus and sign or bus and mirror in excess of that established by this subsection, [or] (D) a trailer designed and used exclusively for transporting boats when the gross weight of such boats does not exceed four thousand pounds, or (E) a recreation vehicle with appurtenances, including safety devices and retracted shade awnings, no greater than six inches on each side for a maximum allowance of twelve inches; and

(2) A combination of truck and trailer which is longer than sixty-five feet except (A) a combination of truck and trailer or tractor and semitrailer loaded with utility poles, both trailer and semitrailer having a maximum length of forty-eight feet, utility poles having a maximum length of fifty feet and the overall length not to exceed eighty feet, (B) a trailer designed and used exclusively for transporting boats when the gross weight of such boats does not exceed four thousand pounds, (C) a tractor-trailer unit, (D) a commercial vehicle combination, (E) combinations of vehicles considered as specialized equipment in 23 CFR 658.13(e), as amended, or (F) a tractor equipped with a dromedary box operated in combination with a semitrailer which tractor and semitrailer do not exceed seventy-five feet in overall length.

(b) A special written permit may not be issued by the Commissioner of Transportation for a combination of vehicles consisting of a vehicle drawing a combination of three or more trailers or semitrailers, except any such combination engaged in the transportation of an indivisible load.

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(c) The maximum length of a single unit vehicle shall be forty-five feet and the maximum length of the semitrailer portion of a tractor-trailer unit shall be forty-eight feet. A trailer greater than forty-eight feet and less than or equal to fifty-three feet in length, that has a distance of no more than forty-three feet between the kingpin and the center of the rearmost axle with wheels in contact with the road surface, may be operated on (1) unless posted otherwise, United States and Connecticut routes numbered from 1 to 399, inclusive, 450, 476, 508, 693 and 695 and the national system of interstate and defense highways, and (2) state and local roads for up to one mile from the routes and system specified in subdivision (1) of this subsection for access to terminals, facilities for food, fuel, repair and rest, and points of loading and unloading. The Commissioner of Transportation shall permit additional routes upon application of carriers or shippers provided the proposed additional routes meet the permit criteria of the Department of Transportation. Such length limitation shall be exclusive of safety and energy conservation devices, such as refrigeration units, air compressors or air shields and other devices, which the Secretary of the federal Department of Transportation may interpret as necessary for the safe and efficient operation of such vehicles, provided no such device has by its design or use the capability to carry cargo.

(d) Violation of any provision of this section shall be subject to a fine of five hundred dollars.

Sec. 2. Section 15-13c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There is created within the Department of Transportation, for administrative purposes only, the Connecticut Pilot Commission to assist and advise the Commissioner of Transportation on matters relating to the licensure of pilots, the safe conduct of vessels and the protection of the ports and waters of the state, including the waters of

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Long Island Sound.

(b) The commission shall consist of nine members, one of whom shall be the Commissioner of Transportation or the commissioner's designee and one of whom shall be an active licensed pilot in this state operating on the Connecticut side of the rotation system for the assignment of pilots. The pilot member shall be designated by a simple majority vote of pilots operating on the Connecticut side of the rotation system for the assignment of pilots. The remaining seven members shall be appointed as follows: The Governor shall appoint one member representing a maritime-related industry, which industry shall not include a recreational industry; the president pro tempore of the Senate shall appoint one member representing the public with an interest in the environment who does not have an economic interest in the subject matters of the commission; the majority leader of the Senate shall appoint one member representing the public with an interest in the environment who does not have an economic interest in the subject matters of the commission; the minority leader of the Senate shall appoint one member who shall be a retired ship's master or captain; the speaker of the House of Representatives shall appoint one member representing a maritime-related industry, which industry shall not include a recreational industry; the majority leader of the House of Representatives shall appoint one member representing a maritime-related [industry, which industry shall not include a recreational] industry from a shipping agent perspective; the minority leader of the House of Representatives shall appoint one member with an expertise in the area of admiralty law. Each member shall be a resident of the state, provided no member shall be an active licensed pilot, except the one active Connecticut licensed pilot operating in and designated by a simple majority of pilots operating on the Connecticut side of the rotation system for the assignment of pilots. Members shall be reimbursed for necessary expenses incurred in the performance of their duties.

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(c) On or before July 1, 1992, in accordance with the provisions of subsection (b) of this section (1) the Governor, the speaker of the House of Representatives and the majority leader of the Senate shall each appoint one member who shall serve until July 1, 1996; (2) the president pro tempore of the Senate, the majority leader of the House of Representatives and the minority leader of the House of Representatives shall each appoint one member who shall serve until July 1, 1995; and (3) the minority leader of the Senate shall appoint one member who shall serve until July 1, 1994. Thereafter, members shall serve for a term of four years and any vacancies on the commission shall be filled for the remainder of the term in the same manner as the original appointment.

(d) The Governor shall appoint the chairperson of the commission who shall not be an employee of the Department of Transportation. The commission shall elect a vice-chairperson and any other officers that it deems necessary from among its membership. The powers of the commission shall be vested in and exercised by not less than [three] five members serving on the commission. This number shall constitute a quorum and the affirmative vote of [three] five members present at a meeting of the commission shall be necessary for any action taken by the commission.

(e) The commission shall, advise the commissioner on the following matters] subject to the approval of the commissioner in his sole discretion, set: (1) The required qualifications of pilots for eligibility for licensure, including background, training, length of service and apprenticeship; (2) examination requirements for obtaining a pilot's or other type of operating license; and (3) the appropriate number of state-licensed pilots necessary for the safe, efficient and proper operations in the ports and waters of the state, including the waters of Long Island Sound; (4) in setting these requirements, the commission may not consider the licenses of pilots by other jurisdictions as a

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disqualifying factor.

(f) The commission shall advise the commissioner on (1) the establishment of fair and reasonable rates of pilotage, pursuant to section 15-14, including establishment of a hearing process for the setting of fair and reasonable rates of pilotage and licensure fees; [(5)] (2) the policy of the state on the establishment of a rotation system for the assignment of pilots; [(6)] (3) the policy of the state on the issuance of reciprocal licenses to pilots licensed in other states; [(7)] (4) the enhancement of safety and protection of the marine environment during the operation of vessels and the prevention of oil spills and other marine incidents; [(8)] (5) the proper equipment required on a vessel and the operation of vessels used by pilots for embarkation and disembarkation; [(9)] (6) the designation of pilot boarding stations; [(10)] (7) the proper safety equipment provided by vessels to enable pilots to safely board vessels; [(11)] (8) the state's policy relative to matters of interstate pilotage; and [(12)] (9) any other matter requested by the commissioner.

[(f)] (g) The commission shall: [, at the request of the commissioner:] (1) Assist in the preparation of examinations for pilot licensure and other operating certificates; (2) evaluate the examination results of applicants for a pilot license and make appropriate recommendations concerning such applicants' qualifications; (3) assist in the review and monitoring of the performance of pilots, including compliance with state policies, procedures and regulations; (4) review applications for reciprocal licensure and make appropriate recommendations concerning such pilot's qualifications; (5) recommend the duties of pilots for the reporting of faulty pilot boarding and disembarkation systems and of violations of any state laws; (6) review and investigate any marine incident or casualty and conduct hearings to determine the causes of any such incident; (7) investigate and make recommendations on disciplinary measures, including such measurers

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as letters of caution, admonition or reprimand and licensure suspension or forfeiture, including disciplinary matters relative to alcohol or drug abuse; (8) retain an independent investigator to compile a comprehensive factual record of any marine incident or casualty; (9) assist in the review of complaints filed with the commissioner; and (10) assist in the preparation of any report or matter relative to pilotage.

(h) Nothing in this section shall supersede the authority of the commissioner with respect to licensing marine pilots as specified in section 15-13.

Sec. 3. Subsection (c) of section 13a-80 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) Notwithstanding the provisions of sections 3-14b, as amended, and 4b-21, [to the contrary,] no residential property upon which a single-family dwelling is situated at the time it is obtained by the department for highway purposes may be sold or transferred pursuant to this section within twenty-five years of the date of its acquisition without the department first offering the owner or owners of the property at the time of its acquisition a right of first refusal to purchase the property at the amount of its appraised value as determined in accordance with the provisions of subsection (b) of this section, except for property offered for sale to municipalities prior to July 1, 1988. Notice of such offer shall be sent to each such owner by registered or certified mail, return receipt requested, within one year of the date a determination is made that such property is not necessary for highway purposes. Any such offer shall be terminated by the department if it has not received written notice of the owner's acceptance of the offer within sixty days of the date it was mailed. Whenever the offer is not so accepted, the department shall offer parcels which meet local zoning requirements for residential or commercial use to other state

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agencies and shall offer parcels which do not meet local zoning requirements for residential or commercial use to all abutting landowners in accordance with department regulations. [The Commissioner of Transportation] If the sale or transfer of the property pursuant to this section results in the existing property of an abutting landowner becoming a nonconforming use as to local zoning requirements, the Commissioner of Transportation may sell or transfer the property to that abutter without public bid or auction. The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, establishing procedures for the disposition of excess property pursuant to the provisions of this subsection in the event such property is owned by more than one person.

Sec. 4. Section 10a-92 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Board of Trustees of the Connecticut State University System shall appoint a committee at each campus to establish traffic and parking regulations for passenger vehicles on such campus. Such traffic committee, subject to the approval of said board and of the State Traffic Commission, may prohibit, limit or restrict the parking of passenger vehicles, determine speed limits, install stop signs, restrict roads or portions thereof to one-way traffic and designate the location of crosswalks on any portion of any road or highway subject to the care, custody and control of said board of trustees, order to have erected and maintained signs designating such prohibitions or restrictions, and impose a fine upon any person who fails to comply with any such prohibition or restriction. Violation of any provision of this section shall be an infraction. All fines so imposed at each state university, less an amount not to exceed the cost of enforcing traffic and parking regulations, shall be deposited in the institutional operating account of such state university for scholarships and library services or acquisitions. The Board of Trustees of the Connecticut State

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University System shall establish at each campus a committee which shall hear appeals of penalties assessed for parking or traffic violations. The membership of both the committee to establish traffic and parking regulations and the committee to hear traffic violation appeals shall include student and faculty representation.

Sec. 5. (*Effective from passage*) (a) There is established a task force to study the state's taxi industry. Such study shall include, but not be limited to, an examination of (1) the current taxicab regulatory scheme, (2) the standard for the issuance of taxicab certificates, (3) the procedure for licensing taxicab operators, (4) the possible repetition of functions currently existing in taxicab oversight, (5) procedures surrounding public hearings and the need and necessity of such hearings, (6) governance and resources, and (7) any and all other matters that may come to the task force's attention.

(b) The task force shall consist of the following members:

(1) The Commissioner of Transportation, or the commissioner's designee;

(2) The Commissioner of Motor Vehicles, or the commissioner's designee;

(3) The Secretary of the Office of Policy and Management, or the secretary's designee;

(4) The Commissioner of Consumer Protection, or the commissioner's designee;

(5) Two representatives of the Connecticut Taxicab Association; and

(6) The cochairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to transportation, or their designees.

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(c) Any member of the task force appointed under subdivision (1), (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member of the General Assembly.

(d) All appointments to the task force shall be made no later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

(e) The speaker of the House of Representatives and the president pro tempore of the Senate shall select the chairpersons of the task force, from among the members of the task force. Such chairpersons shall schedule the first meeting of the task force, which shall be held no later than sixty days after the effective date of this section.

(f) The administrative staff of the joint standing committee of the General Assembly having cognizance of matters relating to transportation shall serve as administrative staff of the task force.

(g) Not later than January 1, 2007, the task force shall submit a report on its findings and recommendations to the joint standing committee of the General Assembly having cognizance of matters relating to transportation, in accordance with the provisions of section 11-4a of the general statutes. The task force shall terminate on the date that it submits such report or January 1, 2007, whichever is later.

Sec. 6. (*Effective from passage*) The segment of Route 160 from the intersection of Route 160 and Route 99 easterly to its junction with Meadow Road in Rocky Hill shall be designated the "Donna Askintowicz Witherell Memorial Highway".

Sec. 7. (*Effective from passage*) Bridge number 03161 on Route 3 over I-91 in Rocky Hill shall be designated the "Employer Support of the Guard and Reserve Memorial Bridge".

Sec. 8. (*Effective from passage*) State Road 504 in Hartford between

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Flatbush Avenue and the junction of I-84 shall be designated the "William J. Hilliard Memorial Highway".

Sec. 9. (*Effective from passage*) State Road 530 in Hartford shall be designated the "Julian A. Nesta Memorial Highway".

Sec. 10. Subsection (a) of section 13a-98i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The commissioner may enter into agreements for the acceptance and expenditure of funds concerning federal surface transportation urban program roadways or facilities and eligible federal surface transportation rural collector roadways or facilities with the United States Secretary of Transportation or local officials, or both, to develop plans and establish programs for, and construct improvements on or to such roadways or facilities using appropriations made to the Department of Transportation by the General Assembly and apportionments to the Department of Transportation by said Secretary of Transportation under the provisions of the [Transportation Equity Act for the 21st Century] Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), all amendments thereto and all applicable federal regulations. Any municipality becoming a party to an agreement concerning such improvements on locally maintained roadways or facilities shall pay fifty per cent of that portion of the cost thereof, which is not paid by the federal government, including required studies, establishing programs, development of plans, engineering expenses, acquisition of rights-of-way, required municipally-owned utility work and construction activities, provided the municipality may pay up to the entire nonfederal government share on locally maintained roadways or facilities when the commissioner and municipality agree that this action is warranted, necessary and desirable in order to obtain federal funds. The state may pay fifty per cent of that portion of the cost

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thereof which is not paid by the federal government on locally maintained roadways or facilities and shall pay the entire portion not paid by the federal government on state maintained roadways or facilities.

Sec. 11. (*Effective from passage*) Route 10 in Granby shall be designated the "Veteran's Memorial Highway".

Sec. 12. (*Effective from passage*) The connector in Thomaston running in a generally westerly direction from Route 222 west to the junction of Route 222 shall be designated the "Father McGivney Way Memorial Connector".

Sec. 13. (*Effective from passage*) Route 102 from Route 35 easterly to Route 7 in Ridgefield shall be designated the "Robert Mugford Memorial Highway".

Sec. 14. (*Effective from passage*) Bridge number 6104B on Route 9 northbound over Route 175 in Newington shall be designated the "Michael S. Mowchan, Sr. Memorial Bridge".

Sec. 15. (*Effective from passage*) The Department of Transportation shall install signage on the I-84 eastbound and westbound exit ramps, where appropriate, for the Connecticut Historical Society Museum and Library.

Sec. 16. (*Effective from passage*) Route 66 in Portland from the junction of Route 17A easterly to the junction of Route 17 shall be designated the "Thomas C. and Thomas W. Flood Memorial Highway".

Sec. 17. (*Effective from passage*) Bridge number 6104A on Route 9 southbound over Route 175 shall be designated the "Donald H. Platt Memorial Highway".

Sec. 18. (*Effective from passage*) The segment of Route 349 in Groton

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currently known as the "William J. Snyder, Sr., Memorial Highway" shall be redesignated as the "City Police Officer William J. Snyder, Sr., Memorial Highway".

Sec. 19. (*Effective from passage*) Bridge number 4320A on I-84 eastbound over Washington Street and bridge number 4320B on I-84 westbound over Washington Street shall both be designated "In Honor of the United States Army's First Infantry Division".

Sec. 20. (*Effective from passage*) Route 173 in Newington from Route 175 in a northerly direction to Stoddard Avenue shall be designated the "Officer Ciara McDermott Memorial Highway".

Sec. 21. (*Effective from passage*) Route 220 in Enfield from Route 5 easterly to the I-91 on and off ramps shall be designated the "John Maciolek Post #154 Memorial Highway".

Sec. 22. (*Effective from passage*) Route 313 in Woodbridge shall be designated the "Lt. Col. James A. Verinis Memorial Highway".

Sec. 23. Section 14-54 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Any person who desires to obtain a license for dealing in or repairing motor vehicles in a municipality having a population of no less than twenty thousand shall first obtain and present to the commissioner a certificate of approval of the location for which such license is desired from the board or authority designated by local charter, regulation or ordinance of the town, city or borough wherein the business is located or is proposed to be located, except that in any town or city having a zoning commission, combined planning and zoning commission and a board of appeals, such certificate shall be obtained from the zoning commission. The provisions of this section do not apply to (1) a transfer of ownership to a spouse, child, brother,

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sister or parent of a licensee, (2) a transfer of ownership to or from a corporation in which a spouse, child, brother, sister or parent of a licensee has a controlling interest, or (3) a change in ownership involving the withdrawal of one or more partners from a partnership.

(b) Any person who desires to obtain a license for dealing in or repairing motor vehicles in a municipality with a population of less than twenty thousand shall first obtain and present to the commissioner a certificate of approval of the location for which such license is desired from the board or authority designated by local charter, regulation or ordinance of the town, city or borough wherein the business is located or is proposed to be located, except that in any town or city having a zoning commission, combined planning and zoning commission and a board of appeals, such certificate shall be approved by the board of appeals. In addition thereto, such certificate shall be approved by the chief of police where there is an organized police force or, where there is none, by the commander of the state police barracks situated nearest to such proposed location. The provisions of this section shall not apply to (1) a transfer of ownership to a spouse, child, brother, sister or parent of a licensee, (2) a transfer of ownership to or from a corporation in which a spouse, child, brother, sister or parent of a licensee has a controlling interest, or (3) a change in ownership involving the withdrawal of one or more partners from a partnership.

Approved June 6, 2006